



Docket No:  
405507/0030

IFW  
2853

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Yuichi Nishihara

Group Art Unit: 2853

Application No.: 10/517,555

Examiner: Not Yet Known

Filed: December 8, 2004

For: **EXPENDABLE CONTAINER WITH FUNCTION OF MEASURING  
RESIDUAL QUANTITY OF EXPENDABLE**

Date: March 21, 2006

**CERTIFICATE OF MAILING**  
**BY "FIRST CLASS MAIL" (37 C.F.R. § 1.8)**

Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

I hereby certify that the following correspondence:

**Return Postcard; Letter Transmitting International Preliminary Examination Report; English  
Translation of International Preliminary Examination Report**

is being deposited on March 21, 2006 with the United States Postal Service  
as first class mail in an envelope bearing sufficient postage thereon and addressed to:

**Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450.**

**David L. Schaeffer**

(Typed Or Printed Name Of Person Mailing Correspondence)

(Signature Of Person Mailing Correspondence)

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Date: **March 21, 2006**

TRANSMITTAL OF INTERNATIONAL  
PRELIMINARY EXAMINATION REPORT (IPER)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The subject application is the national stage of International Patent Appln.

PCT/JP2004/001147. Applicants have received an International Preliminary Examination Report ("IPER") for that international application. Accordingly, Applicants submit herewith an English language translation of that IPER.

The IPER states that claims 1-13 of the international application satisfy the requirements for novelty, inventive step and industrial applicability.

Favorable consideration and prompt allowance of this application is respectfully requested. In the event that there are any questions, or should additional information be required, please contact applicant's attorney at the number listed below.

Respectfully submitted,

David L. Schaeffer  
Registration No. 32,716  
Attorney for Applicants  
STROOCK & STROOCK & LAVAN LLP  
180 Maiden Lane  
New York, New York 10038-4982  
(212) 806-5400

From the INTERNATIONAL BUREAU

**PCT**

NOTIFICATION OF TRANSMITTAL  
OF COPIES OF TRANSLATION  
OF THE INTERNATIONAL PRELIMINARY REPORT  
ON PATENTABILITY  
(CHAPTER I OR CHAPTER II  
OF THE PATENT COOPERATION TREATY)  
(PCT Rules 44bis.3(c) and 72.2)

Date of mailing (day/month/year)  
02 March 2006 (02.03.2006)

To:

TOKKYO GYOMUHOJIN MEISEI INTERNATIONAL  
PATENT FIRM  
Mitsui-sumitomo Bank Bldg., 7th Floor, 18-19, Nishiki  
2-chome, Naka-ku, Nagoya-shi, Aichi  
4600003  
JAPON

Applicant's or agent's file reference  
PF04J930

**IMPORTANT NOTIFICATION**

International application No.  
PCT/JP2004/001147

International filing date (day/month/year)  
04 February 2004 (04.02.2004)

Applicant

SEIKO EPSON CORPORATION et al

**1. Transmittal of the translation to the applicant.**

The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter I).



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

**2. Transmittal of the copy of the translation to the designated or elected Offices.**

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

None

The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AP, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EA, EC, EE, EG, EP, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

**3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).**

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO  
34, chemin des Colombettes  
1211 Geneva 20, Switzerland

Authorized officer

Yoshiko Kuwahara

Facsimile No.+41 22 740 14 35

Facsimile No.+41 22 338 90 90

# PATENT COOPERATION TREATY

## PCT

### INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference PF04J930	FOR FURTHER ACTION		See item 4 below
International application No. PCT/JP2004/001147	International filing date (day/month/year) 04 February 2004 (04.02.2004)	Priority date (day/month/year) 07 February 2003 (07.02.2003)	
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237			
Applicant SEIKO EPSON CORPORATION			

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).

2. This REPORT consists of a total of 4 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

<input checked="" type="checkbox"/>	Box No. I	Basis of the report
<input type="checkbox"/>	Box No. II	Priority
<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/>	Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/>	Box No. VI	Certain documents cited
<input type="checkbox"/>	Box No. VII	Certain defects in the international application
<input type="checkbox"/>	Box No. VIII	Certain observations on the international application

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

Date of issuance of this report  
22 February 2006 (22.02.2006)

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland  Facsimile No. +41 22 740 14 35	Authorized officer  Yoshiko Kuwahara  Telephone No. +41 22 338 90 90
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# PATENT COOPERATION TREATY

From the  
INTERNATIONAL SEARCHING AUTHORITY

To:

**PCT**

## WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

		Date of mailing (day/month/year)	<b>25.05.2004</b>
Applicant's or agent's file reference <b>PF04J930</b>		<b>FOR FURTHER ACTION</b> See paragraph 2 below	
International application No. <b>PCT/JP2004/001147</b>	International filing date (day/month/year) <b>04.02.2004</b>	Priority date (day/month/year)	<b>07.02.2003</b>
International Patent Classification (IPC) or both national classification and IPC <b>G01F23/22, B41J2/175</b>			
Applicant <b>SEIKO EPSON CORPORATION et al</b>			

<p>1. This opinion contains indications relating to the following items:</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15px; text-align: center;"><input checked="" type="checkbox"/></td> <td style="width: 15px; text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Box No. I</td> <td colspan="7">Basis of the opinion</td> </tr> <tr> <td>Box No. II</td> <td colspan="7">Priority</td> </tr> <tr> <td>Box No. III</td> <td colspan="7">Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td>Box No. IV</td> <td colspan="7">Lack of unity of invention</td> </tr> <tr> <td>Box No. V</td> <td colspan="7">Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td>Box No. VI</td> <td colspan="7">Certain documents cited</td> </tr> <tr> <td>Box No. VII</td> <td colspan="7">Certain defects in the international application</td> </tr> <tr> <td>Box No. VIII</td> <td colspan="7">Certain observations on the international application</td> </tr> </table>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	Box No. I	Basis of the opinion							Box No. II	Priority							Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability							Box No. IV	Lack of unity of invention							Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement							Box No. VI	Certain documents cited							Box No. VII	Certain defects in the international application							Box No. VIII	Certain observations on the international application												
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<p>2. <b>FURTHER ACTION</b></p> <p>If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.</p> <p>If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.</p> <p>For further options, see Form PCT/ISA/220.</p>																																																																									
<p>3. For further details, see notes to Form PCT/ISA/220.</p>																																																																									

Name and mailing address of the ISA/ <b>JP</b>	Authorized officer
Facsimile No.	Telephone No.

**Translation**

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.  
PCT/JP2004/001147

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.  
 This opinion has been established on the basis of a translation from the original language into the following language \_\_\_\_\_, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material  
 a sequence listing  
 table(s) related to the sequence listing
  - b. format of material  
 in written format  
 in computer readable form
  - c. time of filing/furnishing  
 contained in the international application as filed.  
 filed together with the international application in computer readable form.  
 furnished subsequently to this Authority for the purposes of search.
3.  In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.  
PCT/JP2004/001147

Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement																										
<p>1. Statement</p> <table> <tr> <td>Novelty (N)</td> <td>Claims</td> <td>1-13</td> <td>YES</td> </tr> <tr> <td></td> <td>Claims</td> <td></td> <td>NO</td> </tr> <tr> <td>Inventive step (IS)</td> <td>Claims</td> <td>1-13</td> <td>YES</td> </tr> <tr> <td></td> <td>Claims</td> <td></td> <td>NO</td> </tr> <tr> <td>Industrial applicability (IA)</td> <td>Claims</td> <td>1-13</td> <td>YES</td> </tr> <tr> <td></td> <td>Claims</td> <td></td> <td>NO</td> </tr> </table>				Novelty (N)	Claims	1-13	YES		Claims		NO	Inventive step (IS)	Claims	1-13	YES		Claims		NO	Industrial applicability (IA)	Claims	1-13	YES		Claims		NO
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	Claims		NO																								
Inventive step (IS)	Claims	1-13	YES																								
	Claims		NO																								
Industrial applicability (IA)	Claims	1-13	YES																								
	Claims		NO																								
<p>2. Citations and explanations:</p> <p>The inventions set forth in claims 1 to 13 pertain to an expendable item container having a control part for controlling the charging and discharging of a piezoelectric element, said container being capable of measuring the amount of expendable supplies remaining; however, this technical feature is not disclosed in any of the documents cited in the international search report, nor would it be obvious to a person skilled in the art.</p>																											